

1 The Honorable Bernard Zimmerman
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7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9 SAN FRANCISCO DIVISION

10 CLIP VENTURES LLC, a California
11 limited liability company,

12 Plaintiff,

13 v.

14 PREMIER PET PRODUCTS, LLC, a
15 Virginia limited liability company,

16 Defendant.

17 Case No. 3:10-cv-05259-BZ

18 STIPULATION AND PROPOSED
19 ORDER OF DISMISSAL

20 Plaintiff Clip Ventures LLC (“Clip Ventures”) and Defendants Premier Pet Products, LLC
21 (“Premier”) have agreed to the following stipulation and proposed order of dismissal, and request
22 the Court to Order dismissal pursuant to the following terms:

23 1. This is an action by Clip Ventures claiming false patent marking. On December 28, 2010,
24 Clip Ventures filed an amended complaint in this action (“Amended Complaint”).
25 2. Clip Ventures and Premier have agreed to settle their disputes in this action.
26 3. Any and all claims which have been or could have been brought by Clip Ventures, on
27 behalf of itself, the United States and the general public, regarding Premier’s alleged false

1 marking or advertising or causing or contributing to false marking or advertising under 35 U.S.C.
2 §292 of any product manufactured or sold that is identified in the Amended Complaint are fully
3 resolved.

4 4. Premier and those acting in concert therewith may have a reasonable period of
5 time in which to sell inventory that has been manufactured on or before the date of this order and
6 to correct the packaging associated with the products at issue without further liability.
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8 5. Compliance with the terms of the settlement agreement between the parties fully
9 resolves any issue relating to the marking of any and all products with any and all of the patents
10 set forth in the Amended Complaint.

11 6. Clip Ventures consents to dismissal with prejudice of all of its claims in the Amended
12 Complaint.

13 7. Clip Ventures and Premier shall bear their own attorney fees and costs incurred in
14 connection with this action.
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16 8. Clip Ventures' false patent marking claims against Premier, as set forth in the
17 Amended Complaint filed on December 28, 2010, are hereby dismissed with prejudice.
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1 Dated: January 10, 2011

2 Respectfully submitted,

3 OWENS TARABICHI LLP

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5 By /s/ David R. Owens
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7 Bruno W. Tarabichi, State Bar # 215129
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14 *Attorneys for Plaintiff Clip Ventures LLC*

15 Dated: January 10, 2011

16 Respectfully submitted,

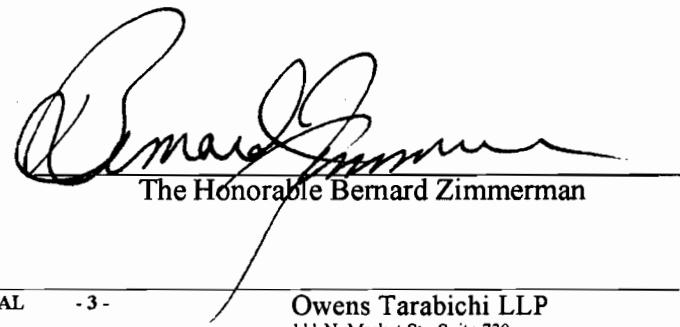
17 MERCHANT & GOULD P.C.

18

19 By /s/ Christopher J. Sorenson
20 Christopher J. Sorenson, #270118
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27 *Attorney for Defendant, Premier Pet Products,
LLC*

28 IT IS SO ORDERED.

29 Dated: 10 Jan '11



The Honorable Bernard Zimmerman